

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner of Patents
Washington, D.C. 20231

REISSUE APPLICATION TRANSMITTAL

Transmitted herewith is the application for reissue of U.S.

☒ Utility Patent ☐ Plant Patent ☐ Design Patent

No.: **US 5,597,780** issued on **January 28, 1997**

Inventor(s): **Lee, et. al.**

Title: **LOW VOLATILITY FORMULATIONS OF MICROENCAPSULATED
CLOMAZONE**

Enclosed are the following:

1. Specification, claim(s) and drawing(s) (37 C.F.R. § 1.173)
 - (a) ☒ 16 page(s) of specification
 - ☒ 10 page(s) of claims
 - ☒ 1 page(s) of abstract
 - ☒ 1 page(s) of cover sheet
 - (b) ☐ _____ sheet(s) of drawing (drawings amended)
 - ☐ No changes in the drawings, upon which the original patent was issued, are to be made. Therefore, in accordance with 37 C.F.R. § 1.174(a), please find attached, in the size required for original drawings:
 - ☐ a copy of the printed drawings of the patent.
 - ☐ a photoprint of the original drawings.
 - ☐ a letter requesting transfer of the drawings from the original patent file to this reissue application is attached.

CERTIFICATION UNDER 37 C.F.R. § 1.10*

I hereby certify that this Reissue Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number **EM014929949US**, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231, on January 28, 1999.

Donald Ciicilbi

2. Declaration and power of attorney

☐ 2 pages of declaration and power of attorney (unexecuted).

3. Preliminary amendment

☐ Attached

4. Offer to surrender the original letters patent in accordance with 37 C.F.R. § 1.178.

☒ Offer to surrender is being made here and PTO/SB/53 by the inventors will be forwarded

☐ along with assent of assignee.

☐ assignment enclosed

☐ Offer to surrender is by the assignee of the entire interest attached.

☒ A certificate under 37 CFR 3.73(b) is attached

5. Letters patent

☐ Original letters patent are attached.

☐ Declaration that original letters patent lost or inaccessible is attached.

☒ A copy of the original printed patent is attached.

6. Petition to proceed without assignee's assent.

☐ Attached hereto is a "PETITION TO PROCEED WITH REISSUE APPLICATION WITHOUT ASSIGNEE'S ASSENT".

7. Information Disclosure Statement

☒ Attached

☒ Copies of the IDS citation(s) is/are attached.

8. ☒ Applicant Claims the priority of US Application 08/340,699, filed November 16, 1994

9. Priority—35 U.S.C. § 119 (foreign priority)

☐ Priority of application Application No. _____, filed on, in _____ is claimed under 35 U.S.C. § 119.

☐ The certified copy has been filed in prior application Application No. 0 / _____, filed on _____.

10. Basic Filing Fee Calculation (37 C.F.R. § 1.16(h), (i) and (j))

The reissue application presents 33 total claims in excess of those in the patent (19 for fee calculation purposes) and 5 independent claims in excess of those in the patent (3). Accordingly, claim fees are believed to be $33 \times \$18.00 = \594.00 plus $5 \times \$78 = \390 , equaling \$984.00

11. Small Entity Status (if applicable)

- ☐ A statement that this filing is by a small entity is
☐ attached.

Filing Fee Calculation (50% of above) \$ _____

12. Additional Fee Payments

- ☐ Payment is being made for "PETITION TO PROCEED WITH REISSUE APPLICATION WITHOUT ASSIGNEE" (37 C.F.R. § 1.17(h)).....\$130.00

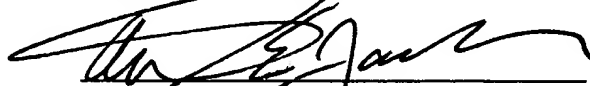
13. Authorization To Charge Additional Fees

- ☒ Authorization of FMC Corporation to charge a Deposit Account assigned to FMC Corporation in this matter is enclosed.
- ☒ Pursuant to the attached authorization of FMC Corporation, please charge the account No. 06-1440 in this matter. Should the required fees not be met pursuant to the proceeding, please charge the Account No. 04-0480.

14. This reissue application is being filed because the patentee claimed less than the patentee had a right to claim. As a result, this reissue application contains claims that are broader than the claims of US Patent No. 5,597,780. This reissue application is timely filed within two years of the issuance of US Patent No. 5,597,780 on 28 January 1997.

A prompt and favorable response is earnestly solicited.

Respectfully submitted,



Arthur E. Jackson
Registration No. 34,354
for
Allen Bloom
Registration No. 29,135
Attorney for Applicant

Date: January 28, 1999

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January 26, 1999

Arthur E. Jackson, Esq.
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**RE: Authorization To Use FMC's Deposit Account for
Filing Reissue Application for US Patent 5,597,780**

Dear Mr. Jackson:

You have been authorized to use FMC's Deposit Account Number for fees associated with the Reissue Application of U. S. Patent 5,597,780, being submitted by you to the USPTO on behalf of FMC Corporation on January 27, 1999. This authorization use pertains only to the above-identified application.

If I can be of further assistance do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, reading "Christine Clarke-Robinson".

Christine Clarke-Robinson
Assistant to Donald J. Silvert, PhD
Group Patent Counsel
Agricultural Products
Intellectual Property Law

:ccr